

HOUSE BILL REPORT

SSB 6103

As Passed House:

March 4, 2004

Title: An act relating to making certain types of extreme fighting illegal.

Brief Description: Making certain types of extreme fighting illegal.

Sponsors: By Senate Committee on Commerce & Trade (originally sponsored by Senators Zarelli, Keiser, Rasmussen, Regala, Franklin, Kline, Deccio, Jacobsen and Fairley).

Brief History:

Committee Activity:

Commerce & Labor: 2/18/04, 2/26/04 [DP].

Floor Activity:

Passed House: 3/4/04, 94-0.

Brief Summary of Substitute Bill

- Bans certain types of fighting events.
- Requires that amateur events be registered and sanctioned by one of several amateur sporting associations.
- Restricts the definition of "amateur" to persons who have never received or competed for more than \$50.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 8 members: Representatives Conway, Chair; Wood, Vice Chair; McMorris, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Crouse, Holmquist, Kenney and McCoy.

Staff: Susan Kavanaugh (786-7106).

Background:

Those who promote or conduct boxing, martial arts, or wrestling matches must be licensed by the Department of Licensing (Department). The Department is directed to supervise and control such matches to protect the health and safety of the participants. However, contests that are "entirely amateur events promoted on a non-profit basis," as well as those that are sponsored by an educational institution, are exempt from licensure by the Department.

"Amateur" is defined in statute as "a person who engages in athletic activities as a pastime and not as a professional."

Summary of Bill:

An "amateur" is defined as someone who has never received or competed for anything worth more than \$50, including prizes, training expenses or fees for participating in an event. It is required that amateur events include only amateurs and be registered and sanctioned by one of several listed amateur sporting organizations, or a similar organization recognized by the Department.

"No holds barred fighting" is prohibited. This type of event is defined as one in which any part of the contestant's body may be used as a weapon or any means of fighting may be used with the intent of injuring the opponent to the extent that the opponent cannot defend him or herself. Likewise banned is "combative fighting," in which contestants are not required to be trained and fight with fists, feet, or both. Elimination tournaments, except those that are amateur or school sponsored, are also prohibited. Promotion of such fights is made a class C felony.

The definitions of boxing, kickboxing and martial arts are all tightened to exclude events in which a contestant aims to injure or disable an opponent. Martial arts is also defined to exclude events in which weapons are used.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: There have been four deaths this year in the types of fights that this bill would ban. Several states have banned these fights, or regulated so heavily that it has the effect of stopping them. In these events the fighters are not required to be trained, no medical history is taken, and often little medical care is available to fighters during and after the fights. Extreme fighting contestants often drink beer before fighting. By contrast in professional fighting, boxers must have a physical and eye check before fighting, referees stop fights if someone is getting hurt, and there are post-fight physicals. Extreme fighting takes away from legitimate fighting. It is abominable, inherently dangerous, and should be banned, preferably, or heavily regulated. This is a situation where legislation is needed to protect a group of people from themselves. Extreme fighting is a money-making proposition for the promoter in that people pay to watch the fights, but the fighters are not paid, and may even pay to risk their lives. Extreme fighting takes place in public venues such as the Tacoma Dome and casinos. Referees are told not to stop fights. A certain toughman promoter, who also acts as announcer, incites the crowd by yelling "get him, slam him." In Florida an untrained woman died after fighting an experienced opponent. The referee did not stop the fight even

after the woman turned her back on her opponent several times and was hit in the back of the head. In contrast, boxing has a better safety record than many other sports because of safety regulations: In USA Boxing, opponents are matched based on age and weight. Also, in USA Boxing, amateurs are limited to two fights per week or one per day in a tournament. In contrast, participants in toughman tournaments may fight five or six bouts in one evening, without a doctor check in between to see if they are fit to continue. It is not clear whether this legislation would be sufficient to stop the fights promoted by a certain individual who has recently held events in Washington. A referee officiating at a toughman competition had never been so afraid of a serious injury occurring and chose not to take part in any other such fights. Likewise, a physician worked one toughman fight and chose not to participate further, noting that a physician is helpless to promote safety because of the lack of conditioning of fight participants, lack of referee control, and a wild, machismo atmosphere. The Department of Licensing supports this bill. The Department has not received written complaints about the events, but has heard concerns expressed. The toughman fights that have occurred in the state recently have fallen under the non-profit and amateur exemption from regulation in current law. The Department did verify that these fights were exempt. The promoter is registered with Washington as a non-profit corporation and files as a non-profit with the IRS. Limiting amateurs to receiving no more than \$50 is based on the limits in USA Boxing, an amateur association. Any assets seized from promoters of illegal fights would go to the General Fund.

Testimony Against: None.

Persons Testifying: Senator Zarelli, prime sponsor; Stan Naccarto, Brian Halquist; and Mark Jacobson, USA Boxing Association; Barry Druxman, Professional Referees Association; Paul Field, USA Boxing and Profession Referees; Fred Griesman, M.D.; and Trudie Touchette and Randy Renfrow, Department of Licensing.

Persons Signed In To Testify But Not Testifying: None.